



Paper No. 4

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**OFFICE OF PETITIONS**

In re Application of  
Michael Douglas, et al. ✓  
Application No. 09/656,677  
Filed: September 7, 2000  
Attorney Docket No. 65229-0010

DECISION ON PETITION

This is a decision on the petition under 37 CFR § 1.137(b), filed August 8, 2001, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to respond in an appropriate and timely manner to the "Notice to File Missing Parts in a Nonprovisional Application" (the "Notice") mailed October 26, 2000. The Notice set forth a two month period for reply beginning from its mailing date. Extensions of time for reply were available pursuant to 37 CFR § 1.136(a). No response was received within the allowable period. Accordingly, this application became abandoned on December 27, 2000. The instant petition was filed before a Notice of Abandonment could be sent.

The Notice required an oath or declaration in compliance with 37 CFR 1.63 to be filed, and that a surcharge pursuant to 37 CFR 1.16(e) be remitted. Petitioner responded by filing a declaration that complies with 37 CFR 1.63 and remitting the required surcharge.

The Power of Attorney filed August 8, 2001, is noted and made of record.

The application is being forward to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

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for Patent Examination Policy